IN THE SUPREME COURT FOR THE STATE OF MONTANA

Supreme Court Nos. DA 09-0566 and DA 09-0605

STATE OF MONTANA
      Plaintiff and Appellee,

v.

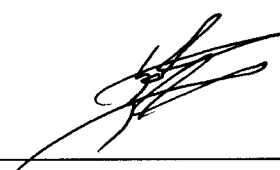DONNIE MACK SELLERS,
      Defendant and Appellant.

NOTICE OF APPEARANCE

COMES NOW, Colin M. Stephens, and hereby enters his Notice of Appearance on behalf of the Defendant and Appellant, Donnie Mack Sellers. Mr. Stephens appears for the limited purpose of representing Mr. Sellers with regards to his *pro se* Petition to Remove the Office of the State Public Defender.

If the Court is not already aware, Mr. Sellers filed a *pro se* petition to remove the Office of the State Public Defender/Office of Appellate Defender based on a conflict of interest. Mr. Stephens is representing Mr. Sellers on this issue *pro bono* with no affiliation to the Office of the State Public Defender/Office of the Appellate Defender. The purpose of representation is to brief the issue of conflict of interest raised by Mr. Sellers and request the Court appoint independent, conflict-free counsel who has is not affiliated with the Office of the State Public Defender/Office of the Appellate Defender, or ever has had such an

affiliation.

Respectfully submitted this _19th_ day of January, 2010.

Colin M. Stephens
SMITH & STEPHENS, P.C.
Attorney for Mr. Sellers
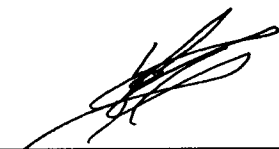
CERTIFICATE OF SERVICE

I, Colin M. Stephens, do hereby certify that I sent or caused to have sent, a true and correct copy of this Brief in Support of Appellant's Petition to Remove Office of the State Public Defender to the following, via the means indicated:

Steve Bullock . . . . U.S. Mail
Montana Attorney General
Mark Mattioli
Assistant Attorney General
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Helena, MT 69620-1401

George Corn . . . . U.S. Mail
Ravalli County Attorney
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Shelby, MT 59474

Dated this __19th__ day of January, 2010.

Colin M. Stephens
SMITH & STEPHENS, P.C.
Attorney for Petitioner